

13281
032604
U.S. PTO

BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW

8110 GATEHOUSE ROAD
SUITE 100 EAST
FALLS CHURCH, VA 22042-1248
USA

(703) 205-8000
FAX: (703) 205-8050
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com
web: http://www.bskb.com

OTHER OFFICES:
CARLSBAD, CALIFORNIA
COSTA MESA, CALIFORNIA
LOS ANGELES, CALIFORNIA

TERRELL C. BIRCH
RAYMOND C. STEWART
JAMES M. SLATTERY
MICHAEL K. MUTTER
CHARLES GORENSTEIN
GERALD M. MURPHY, JR.
LEONARD R. SVENSSON
ANDREW D. MEIKLE
MARC S. WEINER
JOE MCKINNEY MUNCY
ROBERT J. KENNEY
JOHN W. BAILEY
MARK J. NUELL, PH.D.
JAMES T. ELLER, JR.
D. RICHARD ANDERSON
THOMAS M. SMALL*
ROBERT A. SELDON*
JOHN A. SCILLIERI*
SANFORD ASTOR*
MICHAEL R. CAMMARATA
SCOTT L. LOWE
PAUL C. LEWIS
MARYANNE ARMSTRONG, PH.D.

OF COUNSEL:
HERBERT M. BIRCH (1905-1996)
BERNARD L. SWEENEY*
ELLIOT A. GOLDBERG*
WILLIAM L. GATES*
EDWARD H. VALANCE
RUPERT J. BRADY (RET.)*
F. PRINCE BUTLER
FRED S. WHISENHUNT (RET.)
JAMES W. HELLWEGE
QUENTIN R. "RICK" CORRIE
ROBERT F. GNUSE
DAVID R. MURPHY
ROBERT M. ASHEN*
WILLIAM B. WALKER*
RICHARD B. MCGRATH
ROBERT J. WEBSTER

SENIOR COUNSEL:
JOSEPH A. KOLASCH

RICHARD GALLAGHER
KECIA J. REYNOLDS
KALPANA REDDY
ESTHER H. CHONG
CATHERINE M. VOISINET*
EUGENE T. PEREZ
CAROLYN T. BAUMGARDNER*
MARTIN R. GEISSLER*
J. ALISON GRABELL*
T. BENJAMIN SCHROEDER, PH.D.
PERCY L. SQUARE
HYUNG N. SOHN
CLINT A. GERDINE
CRAIG A. MCROBBIE
MATTHEW T. SHANLEY
GARTH M. DAHLEN, PH.D.
ROBERT E. GOOZNER, PH.D.
SUSAN W. GORMAN, PH.D.*
SCOTT T. WAKEMAN*

REG. PATENT AGENTS:
FREDERICK R. HANDREN
MAKI HATSUMI
KRISTI L. RUPERT, PH.D.
ROBERT W. DOWNS
CHAD J. BILLINGS
CARL T. THOMSEN
JASON W. RHODES
SAM BHATTACHARYA
DEMETRA R. SMITH-STEWART

*ADMITTED TO A BAR OTHER THAN VA

Date: March 26, 2004

Docket No.: 2091-0312P

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a continuation divisional
 continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/627,062 filed on July 27, 2000,
the entire contents of which are hereby incorporated by
reference,
by

Wataru ITO

for

IMAGE ACQUIRING METHOD, IMAGE PROCESSING METHOD, AND IMAGE
TRANSFORMING METHOD

1. Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if applicable).

10/809393
U.S.P.T.O.

032604

13281 U.S.PTO
032604

Docket No. 2091-0312P

2. The filing fee has been calculated as follows:

| | | LARGE ENTITY | | SMALL ENTITY | |
|--|---------|--------------|-----------------|---------------|----------|
| BASIC FEE | | \$770.00 | | \$385.00 | |
| NUMBER FILED | | NUMBER EXTRA | | RATE FEE | RATE FEE |
| TOTAL CLAIMS | 24-20 = | 4 | x 18 = \$72.00 | x 9 = \$0.00 | |
| INDEPENDENT CLAIMS | 9-3 = | 6 | x 86 = \$516.00 | x 43 = \$0.00 | |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED | | | + \$290.00 | + \$145.00 | |
| | | TOTAL | \$1,358.00 | \$0.00 | |

3. A check in the amount of \$1,358.00 to cover the filing fee and recording fee (if applicable) is enclosed.

4. Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.

5. Enclosed is/are FOURTEEN (14) sheet(s) of formal drawings and/or photographs.

6a. A statement claiming small entity status was filed in prior Application No. 09/627,062 on _____. See the attached copy of the statement claiming small entity status.

6b. The current application qualifies for small entity status.

7. The prior application is assigned to Fuji Photo Film Co., Ltd.

8. A Preliminary Amendment is enclosed.

9a. Priority of Application No(s). 11-212201, 11-232674, 2000-155703, 2000-155687, and 2000-155648 filed in Japan on July 27, 1999, August 19, 1999, May 26, 2000, May 26, 2000 and May 26, 2000, respectively is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on July 27, 2000.

9b. Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____

Application No. _____ filed in _____ on _____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

10. An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.

11. Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000
or
Customer No. 02292

12. An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 09/627,062 in order to establish co-pendency with the present application.

13. Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Michael R. Cammarata, #39,491

64B
MRC/CTB/mpe
2091-0312P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s)

(Rev. 02/13/2004)